<center>REMARKS</center>

This application has been reviewed in light of the Office Action dated February 18, 2009. Claims 32, 34, 35, 37, and 39 are presented for examination, of which Claims 32, 37, and 39 are in independent form. Claims 32, 34, 37, and 39 have been amended to define Applicant's invention still more clearly. Favorable reconsideration is requested.

Claims 32, 34, 35, 37, and 39 were rejected under 35 § 103(a) as being unpatentable over U.S. Patent No. 5,414,780 (*Carnahan*), in view of U.S. Patent No. 6,160,640 (*Ohmori*) and U.S. Patent No. 6,219,454 (*Kawano et al.*). Applicant respectfully traverses this rejection and submits that amended independent Claims 32, 37, and 39, together with the remaining claims dependent thereon, are patentably distinct from the cited art for at least the following reasons.

Amended independent Claim 32 recites, in part:

> a conversion unit constructed to convert the expanded
> character code set to a converted character code set
> equivalent to a number of lines of a minimum coded unit for
> JPEG compression processing, the converted character code
> set including transmission information for at least one of a
> page header and a page footer;
>
> an exchanging unit constructed to exchange the number of
> lines of the minimum coded unit for JPEG compression from
> the line image data extracted by said extracting unit with the
> transmission information when the lines of the extracted
> image data correspond to at least one of a header portion in
> the image and a footer portion in the image;

Claim 32 (emphasis added).

<center>- 8 -</center>

By virtue of these features, <u>transmission information for a page header or page footer, such as the date and time of a transmission</u>[1], is converted to a specific number of lines for JPEG compression, added to the image data, and JPEG compression is performed on the image data to which the transmission information is added. Thus, in stark contrast to the prior art systems, the transmission information is added to the image data before JPEG compression and JPEG compression is executed one time.

At the very least, nothing has been found in *Carnahan*, *Ohmori* or *Kawano et al.* that is believed to teach, reasonably suggest, or otherwise result in the "conversion unit" or "exchanging unit" as recited in amended Claim 32. Applicant further submits that the proposed combination of *Carnahan*, *Ohmori,* and *Kawano et al.*, assuming such combination would even be permissible, fails to teach or reasonably suggest these features.

On page 3, the Office Action admits that *Carnahan* fails to teach the previously claimed "conversion unit" and "overwriting unit" features of Claim 32. The Office Action then looks to *Kawano et al.* as teaching those features. Applicant respectfully submits that *Kawano et al.* failed to teach or reasonably suggest those previously claimed features and certainly fails to teach or reasonably suggest any of <u>transmission information for a page header or page footer</u> aspects amended into Claim 32 in at least the "conversion unit" and "exchanging unit" recitations.

Kawano et al. is wholly absent of the amended features of Claim 32 related to <u>transmission information for a page header or page footer</u>. Instead, as best understood by Applicant, *Kawano et al.* executes multiple independent compression schemes on an

---

[1] The scope of Claim 32 is not limited to the details of this embodiment, which is referred to purely by way of example.

image and then reconstructs the image by executing each respective expansion scheme that corresponds to each compression scheme utilized. *See Kawano et al.,* Col. 4, lines 12-62 (first, second, and third image data is compressed and expanded according to three respective schemes). Particularly, utilizing header information and apparently other control data, *Kawano et al.* may reconstruct an image by executing each expansion algorithm and overwriting pixels selectively on a pixel-by-pixel basis. *See Kawano et al.,* Col. 4, lines 35-62 and Col. 18, lines 30-45.

Nothing in *Kawano et al.* relates to exchanging image header or footer data with transmission information for a page header or footer, much less teach or reasonably such a feature in the manner recited in the "conversion unit" and "exchanging unit" recitations of Claim 32.

Carnahan and *Ohmori* also fail to teach or reasonably suggest the "conversion unit" and "exchanging unit" recitations of Claim 32. *Carnahan* discusses the general concept of JPEG compression. *Ohmori* relates to a compression scheme where two sides of a sheet can be scanned simultaneously. *Ohmori* is however wholly absent of the concept of exchanging transmission information for a header or footer in the manner recited in Claim 32.

Accordingly, Applicant submits that Claim 32 is patentable over *Carnahan,* *Ohmori,* and *Kawano et al.,* and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 37 and 39 include features similar to those discussed above with respect to Claim 32. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

No petition to extend the time for response to the Office Action is deemed necessary for the this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Jonathan Berschadsky/
Jonathan Berschadsky
Attorney for Applicant
Registration No.: 46,551

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 2882177v1

- 11 -